HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition no. 1596 (S/S) 2005

Nathi Ram S/o late Sri Gyan Chandra,
Senior Clerk, Attached in the Office of
Joint Commissioner (Executive), Trade Tax,
Haridwar Range, Haridwar. ----Petitioner.

Vs.

1. Commissioner, Trade Tax, Uttaranchal,
   Dehradun.
2. Addl. Commissioner (Administration),
   Trade Tax, Uttaranchal, Dehradun,
3. Joint Commissioner (Executive),
   Special Investigation Branch (S.I.B.)/
   Enforcement, Trade Tax, Haridwar Range,
   Haridwar,
4. Deputy Commissioner, Special Investigation Branch,
   (S.I.B.)/ Enforcement, Trade Tax, Haridwar Range,
   Haridwar,
5. Deputy Commissioner (Assessment), Trade Tax,
   Kotdwar/In-charge, Trade Tax Check Post Kauriya,
   Kotdwar, District Pauri Garhwal. -----Respondents.

Sri Manoj Tewari, learned counsel for the petitioner.
Sri Pitamber Maulekhi, learned Addl. Advocate General for the State.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Manoj Tewari, learned counsel for the petitioner and Sri Pitamber Maulekhi, learned Addl. Advocate General for the State/respondents.

The petitioner who is Assistant in Sales Tax Department and was posted at Check Post, Kauriya, Kotdwar district Pauri Garhwal, has challenged the suspension order dated 05.09.2005 passed by Addl. Commissioner (Admin), Trade Tax, Uttaranchal, Dehradun.

The Addl. Commissioner passed the suspension order owing to certain charges leveled against the petitioner.

According to the petitioner, after the appointment of Inquiry Officer, a charge sheet has been served upon him. Since the suspension order has been passed leveling serious charges against the petitioner, to which the petitioner did not reply, it would be just and proper to direct the respondents to conclude the inquiry within a stipulated period.

Accordingly, the petitioner is directed to reply the charge sheet within a period of 15 days from today and the Inquiry Officer is directed to conclude the inquiry within six weeks from the date of receipt of reply from the petitioner. The Disciplinary Authority shall pass final order within two weeks from the date of receipt of the inquiry report from the Inquiry Officer. The petitioner shall co-operate with the inquiry. In any case, the whole exercise shall be concluded by 15th January 2006.

With this observation, the writ petition is disposed of.

(M.M. Ghildiyal, J.)

October 27, 2005:
NCM: